8th January 1954]

SRI T. C. NARAYANAN NAMBIAR :—' Are the Government aware that teachers who have passed the Pandit's Training Examination of the Madras University are not placed in Grade I in spite of a request to the Director of Public Instruction, Madras, in that regard? Will the Government be pleased to inquire into the matter and see that justice is done according to the Government Order? "

THE HON. SRI C. SUBRAMANIAM :—" If the hon. Member is referring to a specific case, he may kindly write to me about it."

SRI K. VINAYAKAM :—" Arising out of the answer given by the Hon. Minister, if local boards come forward to place those who are qualified having undergone the Pandit's training, under Grade I, as long as their finances permit, will the Government be pleased to accord them sanction? For instance, the Corporation of Madras was approaching the Government of Madras for such sanction. Will the Government take a generous view of the matter and accord sanction? "

THE HON. SRI C. SUBRAMANIAM :—" There is no question of generosity involved here. We have framed certain rules. If they come within the scope of the rules, certainly they will be permitted. If they do not fall within the scope of the rules, simply because a local body makes a recommendation, it would not be possible to accept it."

SRI K. VINAYAKAM :—" I will make my question clearer, Sir. The Government have been refusing sanction on the pretext that if they accord sanction to the Corporation of Madras, whose finances are a bit in a better condition, the other local bodies like district boards and municipalities will also clamour for it though their financial position would not give room for such a contingency. The Corporation of Madras comes within the scope of the rules framed by the Government. But still, in order to have a uniform policy, the Government refused sanction to the Corporation of Madras. Will, at least in this particular instance, the Government be generous? "

THE HON. SRI C. SUBRAMANIAM :—" In spite of the long speech, the question has not been made quite clear. He may discuss it personally with me and I am prepared to go into that question."

Release of Communist prisoners.

* 388-H *Q.*—SRI T. C. NARAYANAN NAMBIAR: Will the Hon. the Minister for Law be pleased to state—

(*a*) whether the Government received a mass petition signed by 11,700 persons of the Chirakkal taluk in the last week of November 1953, praying for the release of the Communist prisoners in the Central Jail, Cannanore, and if so, the action taken by the Government thereon; and

(*b*) whether these prisoners are ill?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" (*a*) Yes, Sir. The Government received such a petition signed by a large number of people.

" The Government did not, however, consider it proper to comply with the request contained in the petition, as the offences involved a bad type of murder and the period of imprisonment suffered so far is relatively brief.

" (*b*) The latest medical report about the convicts shows that their general health is quite satisfactory."

SRI T. C. NARAYANAN NAMBIAR :—" Are the Government aware that these two prisoners were convicted in 1949–50 when they were not given facilities to defend themselves and that the accused in the same case tried after 1951 were acquitted because they had facilities to argue their case? In view of these facts, will the Government be pleased to consider the question favourably? "

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" The question of acquittal depends upon the evidence available in respect of each of the accused. As far as the persons now convicted are concerned, there was sufficient evidence and they were convicted on the basis of the evidence available. As regards the first part of the question, I am not prepared to accept it."

SRI C. KANDASAMY :—" அந்தப் பிரதேசத்தில் வசிக்கும் மக்கள் 12 ஆயிரம் பேர்கள் குற்றங்களின் தன்மையை புரிந்திருந்தும்கூட அவர்களை விடுதலை செய்யவேண்டும் என்று கூறியும் அரசாங்கம் இவர்களுடைய அபிலாஷையை கணக்கில் எடுத்துக்கொண்டு அதை கவனிக்குமா ? "

THE HON. SRI C. RAJAGOPALACHARI :—" We cannot dispose of questions of criminal justice by mass petitions. Mass petitions to-day can easily be got signed."

SRI S. RAMALINGAM :—" அவர்களை விடுதலை செய்வதற்கு சர்க்கார் இறுதி யோசனை செய்யும் வரைக்கும் கைதிகளுக்கு வசதி செய்துகொடுப்பதற்கு சர்க்கார் யோசனை செய்யுமா ? "

THE HON. SRI C. RAJAGOPALACHARI :—" We cannot coddle prisoners convicted of criminal offences by courts."

Separation of the Judiciary from the Executive.

9-20 a.m. * 388-I *Q.*—SRI V. GOPALA GOUNDAR : Will the Hon. the Minister for Law be pleased to state—

(*a*) whether the Government have received any memorandum of objections from the Madras State Bar Federation to the report on the working of the Scheme of Separation of the Judiciary from the Executive; and

(*b*) if so, what action has so far been taken thereon?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" (*a*) & (*b*) Yes. The attention of the hon. Member is invited to the answer given on the floor of the House to the starred